

Atty Dkt No. 9400-0005.20

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 9/18/03.

9/18/03

Date

Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CONTAG et al.

Confirmation No.: 3283

Serial No.: 09/183,566

Group Art Unit: 1645

Filing Date: October 30, 1998

Examiner: R. ZEMAN

Title: BIODETECTORS TARGETED TO SPECIFIC LIGANDS

**REVOCATION OF POWER OF ATTORNEY AND  
NEW POWER OF ATTORNEY**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

I, DAVID BOYKO  
(name)

VICE PRESIDENT, LICENSING & LEGAL SERVICES  
(title)

of the assignee, Xenogen Corporation, by virtue of an assignment recorded at Reel 9743 and Frame 0890 on February 1, 1999 hereby revoke all powers of attorney heretofore existing in the above-identified application and hereby appoint Dahna S. Pasternak, Reg. No. 41,411 and Roberta L. Robins, Reg. No. 33,208 as our attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith.

Please address all further communications to Dahna S. Pasternak at Customer No. 20855.

Date: 18 Sep 03

[Signature]  
[name of officer signing]

**DECLARATION**

As a below named inventor, I hereby declare that:

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**Biodetectors Targeted to Specific Ligands**

the specification of which was filed on 10/30/98, as Serial No. 09/183,566.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. § 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56 and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application (37 CFR § 1.63(e)).

**Prior U.S. Applications**

Serial Number	Filing Date	Pending	Abandoned
08/844,336	04/18/97	XXX	
60/015,633	04/19/96		XXX

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

Full name of sole or first inventor

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■■■■■■■

Full name of second joint inventor, if any

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Full name of third joint inventor, if any

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